IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

14	of	nventor(s)
AN 3 0 2004	ofor	
	Title	of invention
40EMARK	the specification of which is being transi	mitted herewith
	· .	OR
	In re application of: SORKIN, Feli:	к L.
	Application No.:1 0 /688,184 Gre	oup No.:
	Filed: October 20, 2003 Ex. For: CONSTRUCTION CHAIR FOR CONSTRUCTION	aminer:
	Assistant Commissioner for Patents Washington, D.C. 20231	
	INFORMATION DIS	SCLOSURE STATEMENT
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(Information Disclosure Statement [6-1]—page 1 of _____)

- NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:
 - (1) Within three months of the filing date of a national application;
 - (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
 - (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. § 1.97(b).
- NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).
- NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1.	X	Preliminary Statements						
2.	X	FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)						
3.		Statement as to Information Not Found in Patents or Publications						
4.		Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted						
5.		Cumulative Patents or Publications						
6.	X	Copies of Listed Information Items Accompanying This Statement						
7.		Concise Explanation of Non-English Language Listed Information Items						
		7A. EPO Search Report						
		7B.						
В.		•						
9.	Ø	Concise Explanation of English Language Listed Information Items (Optional)						

(complete the following, if appropriate)

10. Identification of Person(s) Making This Information Disclosure Statement

, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

(Information Disclosure Statement — Section 1. Preliminary Statements [6-1] — page _____ of _____)

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PTO/SB/08A (10-96)
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known			
Application Number	10/688,184		
Filing Date	October 20, 2003		
First Named Inventor	SORKIN, Felix L.		
Group Art Unit			
Examiner Name			
Attorney Docket Number	1101-169		

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.1	U.S. Patent Document Kind Code (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	-	D482,262		Sorkin	11-18-2003	
		D480,291		Sorkin	10-07-2003	
		6,557,317		Sorkin	05-06-2003	-
		5,791,095		Sorkin	08-11-1998	
		D388,312		Sorkin	12-30-1997	
		5,555,693		Sorkin	09-17-1996	

	FOREIGN PATENT DOCUMENTS								
Examiner Initials*			Foreign Patent Do		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant		
		Office ³	Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T 6	
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Examiner	Date	
Signature	Considered	

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement



NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (1) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . . "

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)
 Exception(s) to above:
 Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
 Cumulative patents or publications identified in Section 5.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).

Patent No. D482,262, issued on November 18, 2003 to Sorkin, teaches an

ornamental design for a paving chair.

U.S. Patent No. D480,291, issued on October 7, 2003 to Sorkin, teaches an ornamental design for a paving chair.

U.S. Patent No. 6,557,317, issued on May 6, 2003 to Sorkin, describes a concrete reinforcing bar support including a base, a support structure extending upwardly from the base, a first clamping member affixed to the support structure and extending upwardly above a top surface of the support structure, a second clamping member affixed to the support structure and extending upwardly above a top surface of the support structure, and a third clamping member affixed to the support structure and extending upwardly above the top surface of the support structure.

U.S. Patent No. 5,791,095, issued on August 11, 1998 to Sorkin, presents a chair having a receiving area with a horizontal section and a generally parabolic section extending transverse to the horizontal section and a plurality of separate legs extending downwardly from the receiving area. Each of the legs has a foot extending horizontally outwardly therefrom. The receiving area and the plurality of legs are integrally formed together of a polymeric material.

U.S. Patent No. D388,312, issued on December 30, 1997 to Sorkin, discloses an ornamental design for a construction chair.

U.S. Patent No. 5,555,693, issued on September 17, 1996 to Sorkin, teaches a chair for use in construction including a receiving area and a plurality of legs extending downwardly from the receiving area. Each of the plurality of legs has a foot extending horizontally outwardly therefrom. The foot of one of the legs is separate from the foot of an adjacent leg. The receiving area and the plurality of legs are integrally formed together of a polymeric material. The receiving area has a generally parabolic indentation.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

			(check	each applicable item)
OIP E VOY	(a)		the inventor(s) who sig	gns below
JAN 3 0 2004	EICE			SIGNATURE OF INVENTOR
). est	9			(type name of inventor who is signing)
N TO ADEMACE	(p)			d with the filing and prose-
			cution of this applicati	ion (37 C.F.R. § 1.56(c))
				SIGNATURE OF INVENTOR
				(type name of inventor who is signing)
	(c)	Ø	the practitioner who si the information:	gns below on the basis of
			(check	each applicable item)
			☐ supplied by t	he inventor(s).
				n individual associated with the filing and prosecution ation. (37 C.F.R. § 1.56(c))
			in the practition	AA.
				SIGNATURE OF PRACTITIONER
Re	g. No.:	30	,627	John 'S.' Egbert
Te	l. No.:	() 713-224-8080	(type or print name of practitioner) Harrison & Egbert 412 Main St., 7th Floor
Cu	ustomer	No.	: 24106	P.O. Address Houston, Texas 77002